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10/099,901	03/12/2002	Marwan Anwar Jabri	021318-000110US	3677

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EXAMINER

AILES, BENJAMIN A

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 05/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/099,901

Applicant(s)

JABRI, MARWAN ANWAR

Examiner

Benjamin A. Ailes

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/14/05 12/18/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-27 remain pending.

Specification

2. The disclosure is objected to because of the following informalities:
 - Page 3, line 15, "paket" should be changed to "packet"Appropriate correction is required.
3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
4. Examiner requests that the Applicant please update the status of related cases to the instant application, where and if applicable.

Claim Objections

5. Claims 1, 8, 12 and 20 are objected to because of the following informalities:
 - Claim 1, line 10, "capabilityof" should be changed to "capability of"
 - Claim 8, line 2, "send" should be changed to "sending"
 - Claim 12, line 2, "IETE" should be changed to "IETF"
 - Claim 20, line 15, "selecte" should be changed to "select"

Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Claim 12 recites the limitation "the format" in 1 of the claim. There is insufficient antecedent basis for this limitation in the claim. For examination, the Examiner will assume "the format" refers to either a format for "the source capability" or a format for the "destination capability" and the format being from the group ITU, IETF and WAP. Appropriate clarification is requested and/or a correction to the claims is required.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

10. Claims 1-6, 9-14, 16, 18-20, 23-27 are rejected under 35 U.S.C. 102(e) as being anticipated by Lai et al. (US 6,593,860 B2), hereinafter referred to as Lai.

11. Regarding claim 1, Lai discloses a system for transferring multimedia information from a source location to a destination location through one or more networks, the system comprising:

a source output providing a first stream of information in one of a plurality of source (col. 7, ll. 21-23);

a destination input receiving a second stream of information in one of a plurality of destination capabilities (col. 6, l. 66 – col. 7, l. 4);

a proxy transcoder server ("PTS") coupled between the source output and the destination input, the PTS (col. 3, ll. 51-65) comprising:

a capability module adapted to identify the source capability of the source output and adapted to identify destination capability of the destination input (col. 10, ll. 50-57);

a selection module adapted to select a transcoding process based upon the one capability of the source capabilities and the one capability from the destination capabilities (col. 10, ll. 50-57);

a transcoding module adapted to use the selected transcoding process to process the first stream of information (col. 10, ll. 50-57).

12. Regarding claim 2, Lai discloses the system wherein the one or more transport networks are selected from a group comprising the Internet, a mobile network, a wide area network, a local area network, PTSN, ISDN, and SONET (col. 6, ll. 52-61).

13. Regarding claim 3, Lai discloses the system wherein at least one of the source output and the destination input is that of a remote device (col. 7, ll. 4-9).

14. Regarding claim 4, Lai discloses the system wherein the capability module identifies at least one of the output and input of the remote device, based on information stored in the device, based on user subscription information stored in a network database of the user's service provider, based on in-band information command and control within a stream exchanged, or pre-set by the service provider (col. 9, ll. 45-58).

15. Regarding claim 5, Lai discloses the system wherein the transcoding process selected by the capability module transcodes data from a first bitstream protocol mode to a second bitstream protocol mode (col. 21, ll. 4-10).

16. Regarding claim 6, Lai discloses the system wherein the PTS further comprising a rate control module regulating the data rate produced by the PTS (col. 21, lines 15-38).

17. Regarding claim 9, Lai discloses the system the rate control module detects the network status information by using in-band information (col. 15, ll. 23-31).

18. Regarding claim 10, Lai discloses the system wherein the rate control module regulates the data rate by changing transcoding parameters (col. 21, ll. 36-38).

19. Regarding claim 11, Lai discloses the system wherein the rate control module regulates the data rate by instructing network equipment to give a higher priority to data being handled by the PTS than other data (col. 16, ll. 60-66).

20. Regarding claim 12, Lai discloses the system wherein the format of the capability is selected from a group comprising ITU, IETF, and WAP (col. 6, ll. 52-65 and col. 22, ll. 10-14).

21. Regarding claim 13, Lai discloses the system wherein the one or more networks are selected from a plurality of different networks, each of the network being configured for a particular standard (col. 18, lines 38-42).

22. Regarding claim 14, Lai discloses the system wherein the PTS further comprising a network addressing module to determine the network address of the source output and the network address of the destination input (col. 15, ll. 18-22).

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23. Regarding claim 16, Lai discloses the system wherein the PTS further comprising an intellectual property rights management module to manage and process information on intellectual property rights (col. 15, lines 23-26).

24. Regarding claim 18, Lai discloses the system wherein the rate control module regulates the data rate dynamically and in real time (col. 14, ll. 43-49).

25. Regarding claim 19, Lai discloses the system wherein the transcoding module are programmable to transcode between various types of capabilities for the source output and various types of capabilities for the destination input (col. 10, ll. 50-57).

26. Regarding claim 20, Lai discloses a system for transferring multimedia information from source to destination locations through one or more networks, the system comprising:

a source output in a first format from a plurality of source capabilities, the source output being coupled to a first network, the source output providing a first stream of information (col. 7, ll. 21-23);

a destination input to be received in a second format from a plurality of destination capabilities, the destination input being coupled to a second network, the destination input receiving a second stream of information (col. 6, line 66 – col. 7, line 4);

a proxy transcoder server ("PTS") coupled between the source output and the destination input, the proxy transcoder server (col. 3, ll. 51-65) comprising:

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a capability process coupled to the source output, the capability process being adapted to identify the first format of the source output and adapted to identify the second format of the destination input (col. 10, ll. 50-57);

a transcoding process coupled to the capability process, the transcoding process comprising a plurality of transcoding modules numbered 1 through N, where N is an integer greater than 1, the transcoding process being adapted to select one of the transcoding process based upon the first format that is associated with a capability and the second format that is associated with a second capability (col. 10, ll. 50-57); and

a bit rate control process coupled to the transcoding process, the bit rate control process being adapted to receive a network status information from the first network, the bit rate control being adapted to adjust a status of the stream of information based upon the network status information (col. 21, ll. 15-38).

27. Regarding claim 23, Lai discloses the system wherein the status is a prioritization status (col. 16, ll. 60-66).

28. Regarding claim 24, Lai discloses the system wherein the status is to adjust a bit rate by selecting a lower bit rate coder (col. 21, ll. 15-38).

29. Regarding claim 25, Lai discloses a method for processing streams of information, the method comprising:

identifying a source capability from a plurality of source capabilities for a stream of information (col. 7, ll. 21-23);

identifying a destination capability from a plurality of destination capabilities (col. 6, l. 66 – col. 7, l. 4);

selecting a transcoding process from a plurality of transcoding processes in a library based upon the identified source capability and the identified destination capability (col. 10, ll. 50-57);

processing the stream of information using the selected transcoding process if the identified source capability and the identified destination capability are different (col. 10, ll. 50-57);

transferring the stream of information from the source to the destination free from one of the transcoding processes of the identified source capability and the identified destination capability matches (col. 12, ll. 15-24).

30. Regarding claim 26, Lai discloses the method wherein the selected transcoding process is provided by empirical information (col. 9, ll. 53-58)

31. Regarding claim 27, Lai discloses the method wherein the library is a look up table having at least the plurality of source capabilities and the plurality of destination capabilities in a second dimension (col. 9, ll. 53-58).

Claim Rejections - 35 USC § 103

32. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

33. Claims 7, 8, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lai in view of Monteiro et al. (US 6,119,163), hereinafter referred to as Monteiro.

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34. Regarding claims 7, 8 and 21, Lai suggests the need for determining network status in regards to the capabilities of source and destination locations (col. 21, lines 15-38), but does not explicitly teach the calculation of round trip time in order to assess the congestion of a network at a certain time, the round trip time calculation technique utilizing the use of a ping. However, in related art, Monteiro teaches the use of a ping object in order to perform round trip time calculations (col. 15, lines 10-16) for network congestion determination and to determine the availability of a remote client. One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to utilize the calculation of round trip time including a ping when determining the status of a network as taught by Monteiro and in combination with the teachings of Lai. One of ordinary skill in the art would have been motivated to utilize the ping object disclosed by Monteiro in order to attain an accurate calculation of round trip time and the status of a network based on congestion. Monteiro suggests the advantage of using a ping to determine the status of a remote client device (col. 15, lines 13-16).

35. Regarding claim 22, Lai and Monteiro disclose the system wherein the status is a stop status (Monteiro, col. 15, ll. 13-16). The motivation utilized to combine Lai and Monteiro in the rejection of claims 7, 8 and 21 applies equally as well to claim 22.

36. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lai in view of Zhu (5,870,146).

37. Regarding claim 15, Lai teaches the transcoding of media bitstreams and the delivery to destinations over a network but does not teach the combining of multiple streams (mixing). However, in related art, Zhu teaches the mixing of multiple media

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streams into one stream as being well known in the art and therefore would have been an obvious step to one of ordinary skill in the art at the time of the applicant's invention and therefore one of ordinary skill would have found it obvious and would have been motivated to utilize such a step with the Lai teachings.

38. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lai in view of Floyd et al. (US 7,003,584 B1), hereinafter referred to as Floyd.

39. Regarding claim 17, Lai discloses the transcoding of media as outlined in the rejection of claim 1 but does not explicitly disclose the encryption and decryption of data. However, in related art, Floyd teaches a transcoder in which data is encrypted/decrypted for added security (Floyd, col. 1, lines 15-24). One of ordinary skill in the art at the time of the applicant's invention would have found it obvious to utilize encryption/decryption techniques when transcoding media data as taught by Floyd in combination with the media transcoding methods disclosed by Lai. One of ordinary skill in the art would have been motivated to make such a combination for added security (Floyd, col. 1, lines 15-24).

Conclusion

40. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chang et al. (US 6,963,972 B1) discloses a method and apparatus for networked information dissemination through secure transcoding.

Lai et al. (US 6,888,477 B2) discloses distributed on-demand media transcoding.

Knauerhase et al. (US 6,215,774 B1) disclose a system for dynamically determining effective speed of a communication link.

Lai et al. (US 6,407,680 B1) disclose distributed on-demand media transcoding.

Vetro et al. (US 6,542,546 B1) disclose an adaptable compressed bitstream transcoder.

Bhagwat et al. (US 6,563,517 B1) disclose automatic data quality adjustment to reduce response time in browsing.

Rottler et al. (US 6,097,730) disclose a transcoder unit for use in a telecommunications network wherein digital voice signals can be transmitted at different transcoding rates.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A. Ailes whose telephone number is (571)272-3899. The examiner can normally be reached on M-F 6:30-4, IFP Work Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571)272-3868. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

baa



ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER